

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

PAT. & T.M. OFFICE
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AND INTERFERENCES

Ex parte JAY P. DRUMMOND, DALE BLACKSON, BOB A. CICHON,
JOSEPH C. ESS, MARK A. MOALES, DAVID W. WEIS,
MARK D. SMITH, and JAMES CHURCH

Application No. 09/193,564

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on August 9, 2002. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

On April 9, 2002, an examiner's answer (Paper No. 13) was filed by the examiner. On page 3 of the examiner's answer, regarding the rejections to the claims, the examiner has referred to more than one prior Office action (Paper Nos. 6 and 10). An examiner's answer should not refer, either directly or


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indirectly, to more than one prior Office action. Manual of Patent Examining Procedure (MPEP) § 1208 (8th ed., August 2001). Appropriate correction is required.

Accordingly, it is

ORDERED that this application be returned to the examiner for: 1) action on the above noted deficiency in the examiner's answer; and 2) for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of this appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES
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DMS/tdl/mh
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